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Attorneys for Defendant,  
Great American E&S Insurance Company, an Ohio  
Corporation, fka Agricultural Excess and Surplus  
Insurance Company

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

HDI-GERLING AMERICA INSURANCE  
COMPANY, a New York Corporation,

**Plaintiff,**

v

HOMESTEAD INSURANCE COMPANY, an  
Pennsylvania Corporation; GREAT AMERICAN  
E&S INSURANCE COMPANY, an Ohio  
Corporation, formerly known as AGRICULTURAL  
EXCESS AND SURPLUS INSURANCE  
COMPANY, and DOES 1-10.

### Defendants.

Case No.: CV-08-1716 PJH

**JOINT STIPULATION AND  
PROPOSED ORDER TO CONTINUE  
DATES FOR INITIAL CASE  
MANAGEMENT CONFERENCE,  
INITIAL DISCLOSURES AND RULE  
26(f) REPORT**

Complaint Filed: March 31, 2008

IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their undersigned attorneys, that a continuance of the initial case management conference, service of initial disclosures, the filing of the Rule 26(f) Report, and the deadline for the parties to meet and confer is appropriate so that the parties can focus on the briefing of defendants' separate motions to dismiss pursuant to FRCP 12(b)(6), which are set for hearing on July 9, 2008. Because these motions raise ultimate questions of law, and no answers have been filed, the parties believe it would be appropriate and most efficient to re-schedule the deadlines for meeting and conferring, filing the

1 Rule 26(f) Report, completing initial disclosures or stating objections in Rule 26(f) and filing the  
 2 Case Management Statement and the date for the initial case management conference from the dates  
 3 initially set in the Court's March 31, 2008 ADR Scheduling Order until dates after the hearing on the  
 4 FRCP 12(b)(6) motions on July 9, 2008. The parties propose the following new dates:

6 Current Date	7 Proposed New Date	8 Event
9 06/12/2008	10 07/17/2008	11 Last day for parties to meet and confer regarding initial disclosures or objections under Rule 26(f) and Case Management Statement
12 06/26/2008	13 07/31/2008	14 Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) and file Case Management Statement
15 07/03/2008	16 08/07/2008	17 INITIAL CASE MANAGEMENT CONFERENCE

18 Dated: June 5/14, 2008

DUANE MORRIS LLP



19 Robert M. Finerman  
20 Attorneys for Defendant Great American E&S  
21 Insurance Company

22 Dated: June \_\_\_\_\_, 2008

23 MORALES FIERRO & REEVES

24 Richard A. Eggerth  
25 Attorneys for Defendant Plaintiff HDI-Gerling  
26 America Insurance Company

27 Dated: June \_\_\_\_\_, 2008

28 CHARLESTON REVICH & WOLLITZ LLP



Howard Wollitz  
Attorneys for Defendant Homestead Insurance  
Company

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18 Dated: June 9th, 2008

19 DUANE MORRIS LLP

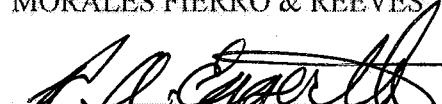



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20 Robert M. Finerman  
21 Attorneys for Defendant Great American E&S  
22 Insurance Company

23 Dated: June 9th, 2008

24 MORALES FIERRO & REEVES




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25 Richard A. Eggerth  
26 Attorneys for Defendant Plaintiff HDI-Gerling  
27 America Insurance Company

28 Dated: June \_\_\_\_\_, 2008

CHARLSTON REVICH & WOLLITZ LLP

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Howard Wollitz  
Attorneys for Defendant Homestead Insurance  
Company

**[PROPOSED] ORDER**

AND NOW, to enable the parties to focus on the briefing and resolution of the Defendants' separate FRCP 12(b)(6) motions, and for other good cause shown, it is ORDERED that the ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES is amended as follows:

7	Date	Event
8	07/17/2008	Last day for parties to meet and confer regarding initial disclosures or objections under Rule 26(f) and Case Management Statement
9		
10	07/31/2008	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) and file Case Management Statement
11		
12	08/07/2008	INITIAL CASE MANAGEMENT CONFERENCE

14 Dated: 6/11/08

AND IT IS SO ORDERED:

